



JUN 06 2001

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000.

Provides for continued examination of a utility or plant

Application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 09/341,287

Filing Date: August 19, 1999

First Named Inventor: Woods, John D.

Group Art Unit: 1713

Examiner Name: D.R. Wilson

Attorney Docket Number: 1221.002USU/LC-302/PCT/US

This is a Request for Continued Examination (RCE) Under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 153 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**a. Previously submittedi. Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on (any unentered amendment(s) referred to above will be entered).ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on iii. Other b. XXXXX Enclosedi. XXXXX Preliminary Amendmentii. Affidavit(s)/Declaration(s)iii. Information Disclosure Statement (IDS)iv. Other 2. **Miscellaneous**a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)b. Other 3. **Fees** The RCE fee Under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.a. XXXXX The Director is hereby authorized to charge any deficiencies or credit any overpayments to Deposit Account No. **01-0467**. The filing fee will be paid by the enclosed check.i. XXXXX RCE fee required under 37 C.F.R. § 1.17(e)ii. Extension of Time fee (37 C.F.R. §§ 1.136 and 1.17)iii. Other b. XXXXX Check in the amount of **\$710.00** is enclosed for the filing feec. Payment by credit card (Form PTO-2038 enclosed)

June 6, 2001

Date of Signature

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CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Certificate No. **EL915220078US**, service under 37 CFR § 1.10 and is addressed to: Box RCE, Commissioner for Patents, Washington, D.C. 20231 on June 6, 2001.

Victoria E. Roeser

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Woods et al.
Title: Process for Hydroxyalkylating Carboxylic Acid-Functionalized
Materials
Serial No: 09/341,287
Filed: August 19, 1999
Atty. Docket No.: 1221.002USU/LC-302/PCT/US
Examiner: D. R. Wilson
Art Unit: 1713

Box: RCE

Commissioner for Patents
Washington, DC 20231

Sir:

PRELIMINARY AMENDMENT

In advance of continued examination, please amend the above-identified patent application as follows:

IN THE CLAIMS:

Please cancel all pending claims without prejudice.

Please add the following new claims:

Sub D1
23
C1

A process for preparing a dihydroxyl-functionalized material by hydroxyalkylating a dicarboxylic acid-functionalized material, said process comprising the step of: reacting as reactants: (a) a dicarboxylic acid-functionalized material selected from the group consisting of dicarboxylic acid-functionalized polymers of: polybutadiene, poly(butadiene-co-acrylonitrile), poly(acrylonitrile) and combinations

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